




## **POLICY FLASH 2012- 36**

**DATE:** April 23, 2012

**TO:** Procurement Directors

  
**FROM:** Director, Policy Division  
Office of Procurement and Assistance Policy  
Office of Procurement and Assistance Management

**SUBJECT:** Implementation of Division B, Title III, Title V and Division C  
Title VII, Consolidated Appropriations Act, 2012, Pub. L. No.112-  
74 and Related Conference Report

**SUMMARY:** Acquisition Letter (AL) 2012-08 and Financial Assistance Letter (FAL) 2012-01 provides implementing instructions and guidance for Division B, Title III, Title V and Division C Title VII, Consolidated Appropriations Act, 2012, Pub. L. No.112-74 and Related Conference Report.

The AL addresses the following:

Appropriations Act

- Section 301(a) Unfunded Requests for Proposals
- Section 301(b) Congressional Notification of Multi-year Contract Award
- Section 308 Construction of High-hazard Nuclear Facilities
- Section 310 Independent Cost Estimate (ICE) for Critical Decision (CD)-2 and CD-3 DOE O 413.3B Construction Projects
- Section 501 Lobbying Restrictions
- Section 504 Felony Criminal Violations
- Section 505 Unpaid Federal Tax Liability
- Section 738 Prohibition on Contracting with Inverted Domestic Corporations
- Section 743 Any Payment for the Election for a Federal Office or to a Political Committee

### Conference Report

- Nuclear Safety
- User Facilities

The FAL addresses the following:

### Appropriations Act

- Section 301(a) Unfunded Requests for Proposals
- Section 301(b) Congressional Notification of Multi-Year Awards
- Section 316 Lighting Efficiency Standards
- Section 501 Lobbying Restrictions
- Section 504 Felony Criminal Violations
- Section 505 Unpaid Federal Tax Liability
- Section 725 Federal Funds Source Information

This flash and its attachments will be available online at the following website:

[http://management.energy.gov/policy\\_guidance/policy\\_flashes.htm](http://management.energy.gov/policy_guidance/policy_flashes.htm).

Implementing instructions and guidance pertaining to Section 311, which requires advance notification to Congress for certain acquisitions and financial assistance actions, is addressed in Acquisition Letter/Financial Assistance Letter 2012-07 and 2012-01.

Questions concerning the policy flash should be directed to Barbara Binney at (202) 287-1340 or [barbara.binney@hq.doe.gov](mailto:barbara.binney@hq.doe.gov) for the AL or Richard Bonnell at (202) 287-1747 or at [richard.bonnell@hq.doe.gov](mailto:richard.bonnell@hq.doe.gov) for the FAL.

Attachments